

July 1, 2003

A regular meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:30 p.m. in the Council Chambers. Councilmembers present were: Cole, Dorning, McCormick, Misener, Paine, Plackett and Robinson.

ANNOUNCEMENTS

The Mayor announced that following the regular meeting the Council would hold an executive session on labor negotiations for approximately five minutes.

PRESENTATION

Barbara Culp, speaking on behalf of the League of American Bicyclists and the Bicycle of Alliance of Washington, presented the Mayor and the city with the Redmond Bike Friendly Community Award for 2003-2005. Ms. Culp said the organizations are proud of Redmond's commuting and racing facilities, and of what the city has done to recognize biking as a recreational opportunity.

Arnold Tomac, Chair of the Bicycle/Pedestrian Advisory Committee, said he appreciated the Council's support of the bicycling facilities in Redmond.

RECOGNITION

The Mayor recognized Chip Cornwell, Program Coordinator in the Media Relations Division, who received a national Honorable Mention Award from the Alliance for Community Media for outstanding work on the RCTV Readerboard.

INTRODUCTIONS

Ron Grant, Construction Division Manager, introduced Steve Gibbs, new project engineer in the Public Works Department Construction Division.

The Mayor noted that last night the Council had an opportunity to meet J.J. Allen, a new management analyst in the Public Works Department, who could not be present this evening.

The Mayor introduced Harry Oestrich, Financial Planner in the Finance Department Financial Planning Division.

ITEMS FROM THE AUDIENCE

Paul Walter, 14009 NE 80 Street, who lives on the southeast corner of NE 80 Street and 140 Avenue NE, stated the stormwater retention pond near his home has impacted his family ever since it was built several years ago. He said his main concern is speeding vehicles that use NE 80 Street to miss the traffic on 140 Avenue NE. He said the city put

down rubber strips to track the speed of vehicles, and it was determined that traffic was not going fast enough to warrant a speed bump. He added he has spoken to city staff, and talked to the engineer on the current project. He asked the Council for help in addressing his concern.

The Mayor said staff would follow up on Mr. Walter's concerns about enforcement of traffic rules. She said the Grass Lawn Neighborhood has a committee working on the neighborhood plan and will be reviewing issues such as the one raised by Mr. Walter.

James Bennett, 15015 NE 80 Street, echoed Mr. Walter's comments. He said he notices speeding vehicles when he leaves for work in the morning and when he comes home at night.

Chuck McWilliams, Vice President of Administrative Services, Lake Washington Technical College, said the members of the executive committee are pleased with their plans to build a satellite campus in Redmond. He urged the Council to set the hearing date for the right-of-way vacation and encouraged its approval.

Dave Thome, 16202 NE 112 Court, said he was here tonight to speak about a proposal to rezone an area Neighborhood Commercial near 162 Avenue NE and NE 116 Street. He said the neighbors like the character of their neighborhood and want it to stay that way.

Roberta Lewandowski, Director, Planning and Community Development Department, said the city has been treating this issue as quasi-judicial and for that reason, public testimony tonight can only pertain to procedural issues.

James E. Haney, City Attorney, explained that since the proposal is for a small number of properties, and involves a rezone and Comprehensive Plan change, the matter would go before the Planning Commission for a public hearing, probably in August or September. He said any comments from the public should be at the public hearing because state law requires that testimony take place in that forum. He noted the Council will have the record from the Planning Commission public hearing and there will be an opportunity for proponents and opponents to speak to the Council at a future time.

The Mayor said the neighbors would know by July 10, 2003 whether or not the applicants have decided to proceed with the rezone application.

William Vaughn, 16202 NE 113 Court, said the neighborhood is a nice, safe, and quiet place. He said he and his neighbors are worried about security, vandalism and safety. He and

encouraged the Council to make sure that city staff notify people throughout the neighborhood, even if they live farther than 500 feet from the proposed site.

Susan Mitchell said she lives on 162 Avenue NE near NE 116 Street across from Norman Rockwell Elementary School. She noted she has called the city and the police many times about speeding traffic. She stated when the school has a function, people park along the street, and vehicles also use the road to bypass traffic going to and from the freeway. She acknowledged there are not enough police to enforce all of the speeding traffic in the city, and any increased growth will make it even worse. She added the neighborhood cannot handle any more traffic. She asked the Council to install a speed bump in front of the elementary school to slow down the traffic in that area.

Mr. Vaughn suggested paving the Puget Power trail so it could be used for overflow parking.

CONSENT AGENDA

Motion by Ms. Dorning, second by Ms. McCormick, to approve the following items of the Consent Agenda:

- (1) approve the minutes of the regular meeting of June 17, 2003
- (2) approve the following payroll/direct deposit and claims checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#155251 - 155398	
#111182 - 111753	\$1,116,576.31

CLAIMS CHECKS:

#206502 - 206866	\$2,580,868.05
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- (3) approve Supplemental Agreement No. 2 for the 185 Avenue NE Extension Stormwater Feasibility Study, Project No. 02-CI-04, with R.W. Beck, in the amount of \$133,553, and authorize the Mayor to sign the agreement
- (4) approve Supplemental Agreement No. 1 for final design of seven projects in the Localized Efficiency Action Program (LEAP), Project No. 02-CI-42, with Parsons Brinckerhoff Quade & Douglas, Inc., in the amount of

\$92,308, and authorize the Mayor to sign the agreement

- (7) approve Resolution No. 1171, setting a public hearing upon a petition for vacation of a certain right-of-way within the City of Redmond, Washington, City File No. RV02-001, which was presented and read
- (8) approve the Heritage Grant Committee's recommendation for grant funding in the amount of \$19,390 for the purchase of a preservation easement for the Edwardian Antiques building
- (9) authorize the allocation of \$34,603 from the Council Contingency CIP (Capital Investment Program) to provide assistance to the following affordable housing developments in Redmond:
 - \$32,052 to Habitat For Humanity to help fill a funding gap and complete necessary access improvements to the Patterson Park housing site (former coast Guard property)
 - \$2,251 to complete rehabilitation of the 18-unit Terrace Hills apartment complex on Education Hill
- (10) approve a pyrotechnic contract for \$32,000 for the 2003 Fourth of July Celebration, and authorize the Mayor to sign the contract.

Upon a poll of the Council, Cole, Dorning, McCormick, Misenar, Paine, Plackett and Robinson voted aye. Motion carried unanimously (7 - 0).

CONSULTANT AGREEMENT FOR ENGINEERING SERVICES FOR NE 116 STREET IMPROVEMENTS, PROJECT NO. 00-CI-81

The Mayor, in a memorandum to the Council dated July 1, 2003, recommended approval of the consultant agreement for the NE 116 Street Preliminary Design Phase II.

Councilmember Robinson stated the list of tasks on page two of the Council memorandum appear to be a standard list of items and asked how would they help reduce project costs. Don Cairns, Transportation Division Manager, replied those are standard procedures that staff undertakes for any

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project. He said previous engineering work done on the street provided a profile, which allowed new development to proceed. He explained staff would look at the profile to see if cuts and fills can be reduced, and also review the cross section, particularly in low areas, to see if the project cost can be reduced. He added staff would also look at the drainage for the street corridor to see if it can be managed differently to reduce project costs.

Councilmember Robinson rephrased his concern - that Council is being asked to approve this request in order to help refine the estimate. Mr. Cairns responded it is more than that. He explained the proposed consultant agreement would help staff to understand the drainage in the area; at this time there is no estimate for the drainage work. He added that the refined cost estimate will help for more accurate impact fee figures as well. He noted, however, that the consultant's work would not be available prior to the Council's receipt of the Planning Commission's recommendations regarding the impact fees.

Councilmember Robinson said given the significance of what is being proposed, the Council should have a discussion on those impact fees and the ramifications and precedent that would be set, prior to actually voting on this agreement.

Motion by Ms. McCormick, second by Ms. Plackett, to approve a consultant agreement for NE 116 Street Preliminary Design Phase II, Project No. 00-CI-81, with W&H Pacific, in the amount of \$359,767.22, and authorize the Mayor to sign the agreement. Motion carried (6 - 1) with Robinson voting nay.

SUPPLEMENTAL AGREEMENT NO. 4, CONSULTING SERVICES TO THE CITY OF REDMOND'S WELLHEAD PROTECTION ORDINANCE/PROGRAM

The Mayor, in a memorandum to the Council dated July 1, 2003, recommended approval of the Supplemental Agreement No. 4.

Councilmember Robinson asked about the status of the ordinance with respect to the Planning Commission process. Thomas Barry, Public Works Natural Resources Engineer, replied the ordinance is ready to go to the Planning Commission, and staff is working to get the ordinance review on the Planning Commission calendar. He concluded it will probably be before the Planning Commission in August or September 2003.

Councilmember McCormick questioned the need for the consultant to assist in developing a memorandum of understanding between city departments and suggested deleting Subtask 2.4 from the agreement's scope of work.

Motion by Mr. Robinson, second by Mr. Misener, to approve Supplemental Agreement No. 4 with Adolfson Associates, Inc., for the purposes of completing the Wellhead Protection Ordinance, Implementation Plan, development of the Groundwater Pollution Prevention Program, and all relevant services therein, in an amount not to exceed \$139,000 including contingencies, and authorize the Mayor to sign the Supplemental Agreement.

Councilmember Plackett asked has Redmond Industries for a Clean Environment (RICE) come to agreement on this proposed ordinance? Mr. Barry replied yes, RICE is pleased with the process the city has utilized and was informed that the ordinance would undergo Planning Commission review.

Motion carried unanimously (7 - 0).

PUBLIC HEARINGS

Public Hearing - Draft 2004-2009 Transportation Improvement Program (TIP)

The Mayor opened the public hearing at 8:36 p.m.

Arnold Tomac, 18119 NE 30 Street, spoke in support of including in the TIP an overpass at Avondale Road and Union Hill Road, because it would make State Route 520 a more effective bypass of downtown Redmond and would significantly relieve congestion during the morning commute. He said he spoke about this proposal at the May 19, 2003 Council meeting.

The Mayor said the city is working with the City of Sammamish and the Washington State Department of Transportation (WSDOT) on issues regarding the State Route 520/State Route 202 interchange.

Hearing no further testimony, the Mayor declared the public hearing closed at 8:40 p.m.

REPORTS

Staff Report - 2001-2002 Amendments to Countywide Planning Policies

Rob Odle, Policy Planning Manager, in a memorandum to the City Council dated July 1, 2003, reviewed the Growth Management Planning Council (GMPC) amendments to the Countywide Planning Policies.

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Councilmember Paine said it would be helpful to have an aerial map of the city available so the Council could see what it means for the various targets.

There was consensus of the Council to bring the amendments to the Countywide Planning Policies back for action at the July 15, 2003 meeting.

Staff Report - Northeast Rose Hill Annexation, Phase I

Mr. Odle updated the Council on the process for the proposed NE Rose Hill Annexation Phase I, in a memorandum dated July 1, 2003.

Councilmember Paine said he has been in contact with one landowner who wants to bring a trunk line sewer to the neighborhood, but is under severe time constraints. He requested that the Council schedule a special meeting on July 8, 2003 to act on the Notice of Intent for the NE Rose Hill Annexation Phase I.

Mr. Odle said staff could accommodate the request.

In response to a question from the Mayor, Mr. Odle stated that the owner would be bound to follow the city's applicable rules and regulations regarding the installation of a sewer trunk line.

Motion by Mr. Paine, second by Ms. McCormick, to hold a special meeting on July 8, 2003 at 7:30 p.m. to take action on the NE Rose Hill Annexation Phase I Notice of Intent. Motion carried unanimously (7 - 0).

OMBUDSMAN REPORT

Councilmember Dorning said she received emails on the proposed T-Mobile monopole and Justice for Janitors, a request regarding third-party water/sewer billing, and a concern from a constituent about signage in a window at a lingerie shop at Redmond Town Center. She noted that the citizen felt the window display was inappropriate because it was near a toy store. She said she referred this concern to the Code Enforcement Office and asked for a report back.

Commenting on the third party billing system, Councilmember McCormick said she read newspaper articles about the Seattle City Council's review of this issue and thought it would be helpful for the Council to have some information on what Seattle is considering.

Councilmember McCormick said she received comments about the functionality of traffic flow at the intersection of East Lake Sammamish Parkway and Redmond Way.

Councilmember Robinson stated he had an inquiry about a bridge crossing for The Bon Marche at Redmond Town Center. The Mayor said the building design was reviewed by the Design Review Board and approved.

Councilmember Plackett said she received comments from citizens who are concerned about a trail behind Redmond High School. She said she is also working with people at the Village At Overlake at the Overlake Transit Center who have issues regarding access service.

ORDINANCE - REDMOND 74 MASTER PLANNED RESIDENTIAL DEVELOPMENT AND PRELIMINARY PLAT, MPRD98-001 AND PPL96-006 (quasi-judicial)

Steven Fischer, Senior Planner, gave an overview of the residential subdivision with a Master Planned Residential Development (MPRD) overlay. Responding to a question from Councilmember Misenar about controversy regarding increased traffic on the Redmond-Woodinville Road, he referred to a map that was an exhibit at the hearing before the Hearing Examiner. He pointed out two opportunities for ingress/egress to the development.

Councilmember Misenar asked would the proposed intersection of 160 Avenue NE and Redmond-Woodinville Road be reconfigured if 160 Avenue NE is extended? Mr. Fischer replied yes, at city cost.

Councilmember Dorning said she understood that when this project was constructed 160 Avenue NE would be built in the same configuration as that near Rivertrail, and it was the city's responsibility to complete the connecting roadway between the two developments. Now, she continued, it seems the rules are being changed and the decision to eliminate some lanes on 160 Avenue NE has already been made.

James E. Haney, City Attorney, clarified the Hearing Examiner approved the preliminary plat, and that is not before the Council. What is before the Council is the MPRD decision, he concluded.

Roberta Lewandowski, Planning and Community Development Director, said 160 Avenue NE is in the city's Comprehensive Plan, and by approving this MPRD, the city will have the dedication for the full right-of-way. Rivertrail needed a wider roadway so fire trucks could turn around in the street, she noted. She concluded the Redmond 74 development is a smaller project than Rivertrail, and there is enough access to meet the city's standards.

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The Mayor said staff would follow up with the Fire Department. She noted that in this development there are 230 units, most of which are single family, which is different than for an attached building site.

In response to a question from Councilmember Dorning, Mr. Fischer said in the UR zone the average lot size is ten acres, in the R-1 zone the average lot is 10,692 square feet, in the R-4 zone the average lot is 6,789 square feet, and R-6 zone is not applicable since it is in the multifamily category.

RECESS

The Mayor declared a recess at 9:30 p.m. The meeting reconvened at 9:41 p.m.

Tim McGruder, 13450 NE 100 Street, Kirkland, spoke on concerns of the East Lake Washington Audubon Society regarding the twenty-one acres on the lower portion of the development, nearest the river zoned Urban Recreation. The development is inconsistent with the Comprehensive Plan, he continued, and requested that the two homes in the UR zone be transferred to the upper portion of the site, leaving the lower portion undeveloped. He noted that these concerns are outlined in a letter from the East Lake Washington Audubon Society dated July 1, 2003. He asked for specifics on how the Planning and Community Development Department will confirm that the portion of the site will remain undeveloped and Urban Recreation in nature.

Oscar Del Moro, Cosmos Development, the applicant, noted the project is large and complex, and required a lot of citizen involvement. He said the Council voted to dedicate the densities on this project through zoning, and those requirements have been achieved. The densities protect the lower density on the north and the steep slopes and the UR zoning on the valley floor, he noted. He explained that Cosmos has planned for both scenarios regarding 160 Avenue NE - the right-of-way and easements are dedicated, concurrency is in place, frontage improvements are included, and the developer is preserving over fifty percent of the site as open space. He emphasized that the Council has mandated that two of the eleven requirements be met for approval of a MPRD and Cosmos has implemented nine of them.

Alison Moss, 2183 Sunset Avenue SE, Seattle 98116, land use attorney for the applicant, touched on Mr. McGruder's comments about the two lots. She pointed out on the map the areas that will be preserved as open space, and the portions of the Urban Recreation zoning that could have some use. She said the Hearing Examiner's recommendation incorporated a condition that limits any single-family use in the UR zone to one that is engaged in agriculture or a stable.

Regarding the question of the MPRD standards, Ms. Moss said the focus of this portion of the Hearing Examiner's recommendations (pages 20-21) lays out the modifications requested. She pointed out that the developer needed to satisfy two of the decision criteria in the code, and they believe they have satisfied nine.

Motion by Ms. Dorning, second by Mr. Robinson, to adopt Ordinance No. 2170, approving the Redmond 74 Master Planned Residential Development subject to the conditions outlined in the Hearing Examiner's report dated June 12, 2003.

Councilmember Dorning complimented Mr. Del Moro on the final product, and commended him on the good design and on saving the trees.

Councilmember McCormick said the developer is proposing that 160 Avenue NE would include a 17-foot median through the Redmond 74 MPRD. If 160 Avenue NE is extended from the Rivertrail area north to connect with the section in the Redmond 74 development, the median will be narrowed to accommodate two additional travel lanes, she continued. She commented that residents will probably get used to the median and will object to it being reduced.

There was general discussion about the city putting a sign at either end of 160 Avenue NE to alert people that the roadway could be widened in the future.

Councilmembers were concerned about the junction of 160 Avenue NE and Redmond-Woodinville Road, whether or not traffic signals would be required at the intersection, additional traffic congestion on Redmond-Woodinville Road, and the fact that any changes to the intersection in the future would be at the city's cost.

Mr. Haney said the Council's concern should be whether or not the conditions of the MPRD are met.

Councilmember McCormick referred to the criteria on page nine of the Hearing Examiner's report dated June 12, 2003. She was disappointed at the limited expanse of 160 Avenue NE being two lanes instead of four lanes through the development. She recalled that when the Council discussed this issue all of the discussions were based on the developer building that section of the roadway, and the city building the middle section of the roadway connecting the Rivertrail and Redmond 74 developments.

Ms. Lewandowski explained that in order to have the developer build a wider roadway there must be a nexus showing that the development mandated the additional lanes.

The Mayor said she understood Councilmember McCormick's issue, but there is less cost involved with the way it is being designed because all of the infrastructure will be in place when the median is narrowed.

In response to a question from Councilmember Misenar, Mr. Fischer stated that the Council is voting on whether or not to approve the MPRD, which includes the final plat design layout.

Councilmember Misenar was concerned about the traffic congestion on Redmond-Woodinville Road. Mr. Fischer said the density issues were addressed in 1994 and 1995 during the approval of the Comprehensive Plan. He said the issue regarding traffic onto Redmond-Woodinville Road was reviewed and approved by the city's Transportation Division; Public Works staff assured him that the proposed MPRD would meet the city's safety standards.

Mr. Haney added the Council already made the decision about density and zoning in 1994 and 1995, and set the criteria for the density bonuses too; if the Council wants to make changes, those need to be related to the MPRD criteria.

Councilmember Dorning called for the question.

Ordinance No. 2170, adopting the Hearing Examiner's June 12, 2003 recommendation to approve with conditions the Redmond 74 Master Planned Residential Development (MPRD98-001) and Preliminary Plat (PPL96-006), and establishing an effective date, was presented and read.

Upon a poll of the Council, Dorning, Paine, Plackett and Robinson voted aye. Motion carried (4 - 3) with Cole, McCormick and Misenar voting nay.

EXECUTIVE SESSION AND ADJOURNMENT

At 10:31 p.m. the Council held an executive session on labor relations for approximately five minutes. There being no further business to come before the Council, the Mayor declared the meeting adjourned at 10:45 p.m.

MAYOR

CITY CLERK